

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IRENE FLORES, individually,)	Case No. 12-5749-SC
)	
Plaintiff,)	<u>ORDER DISMISSING CASE</u>
)	
v.)	
)	
U.S. BANK AS TRUSTEE FOR BAYVIEW)	
FINANCIAL MORTGAGE PASS-THROUGH)	
TRUST 2007-A MORTGAGE PASS-THROUGH)	
CERTIFICATES, SERIES 2007-A;)	
BAYVIEW LOAN SERVICING, LLC; JLM)	
CORPORATION; MORTGAGE ELECTRONIC)	
REGISTRATION SYSTEMS, INC; and)	
DOES 1 through 100, inclusive,)	
)	
Defendants.)	

On November 8, 2012, Plaintiff Irene Flores ("Plaintiff") filed a federal complaint against U.S. Bank; Bayview Loan Servicing, LLC; JLM Corporation ("JLM"); Mortgage Electronic Registration Systems, Inc.; and one hundred unnamed Does (collectively, "Defendants"). ECF No. 1 (Compl.). The complaint asserts nine claims based exclusively on state law and challenges Defendants' right to foreclose on a mortgage taken out on Plaintiff's home. On November 12, 2012, Plaintiff filed an ex parte application for a temporary restraining order halting the foreclosure sale planned for November 15, 2012. ECF No. 5 ("TRO App. ").

1 Plaintiff avers that this Court has diversity jurisdiction
2 over her case. Compl. ¶¶ 3-4. However, her complaint reflects
3 otherwise. Plaintiff alleges that she is a California resident.
4 Id. ¶ 5. Plaintiff further alleges that Defendant JLM is a
5 California corporation with its corporate headquarters located in
6 Santa Ana, California. Id. ¶ 8. Accordingly, the requirement of
7 complete diversity is not satisfied. See 28 U.S.C. § 1332(a)(1),
8 (c)(1); Lee v. Am. Nat. Ins. Co., 260 F.3d 997, 1004 (9th Cir.
9 2001) (citing Wisconsin Dept. of Corr. v. Schacht, 524 U.S. 381,
10 388 (1998); Strawbridge v. Curtiss, 7 U.S. (3 Cranch) 267 (1806))
11 ("The diversity jurisdiction statute, as construed for nearly 200
12 years, requires that to bring a diversity case in federal court
13 against multiple defendants, each plaintiff must be diverse from
14 each defendant.").

15 Accordingly, the Court hereby DISMISSES this case for lack of
16 subject-matter jurisdiction. Because the Court lacks jurisdiction
17 over this case, it does not reach Plaintiff's TRO application.

18
19 IT IS SO ORDERED.

20
21 Dated: November 13, 2012


UNITED STATES DISTRICT JUDGE